

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Jerry King, et al.,

Plaintiffs,

Case No. 07-11359

v.

Hon. Nancy G. Edmunds

OCWEN, et al.,

Defendants.

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ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that Plaintiff's motion for default judgment is DENIED, and Defendants' HSBC Bank USA, N.A., Ocwen Loan Servicing, LLC and Mortgage Electronic Registration System, Inc.'s motion to dismiss is hereby GRANTED.<sup>1</sup>

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: January 8, 2008

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<sup>1</sup>In *Bell Atlantic Corp. v. Twombly*, 127 S.Ct. 1955, 1968-69 (2007), the Supreme Court dispensed with the "rule that a complaint should not be dismissed for failure to state a claim unless it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." Although the Magistrate Judge's Report and Recommendation used this language when it considered Defendants' motion to dismiss, the Court has considered Defendants' motion in light of the standard set forth in *Twombly* and agrees with the Magistrate Judge's disposition of Defendants' motion to dismiss.



I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 8, 2008, by electronic and/or ordinary mail.

s/Carol A. Hemeyer  
Case Manager